

Drain: ASHBURY PARK DRAIN Drain #: 328
 Improvement/Arm: ASHBURY PARK - SECTION 2
 Operator: JDH Date: 5-21-04
 Drain Classification: Urban/Rural Year Installed: 1999

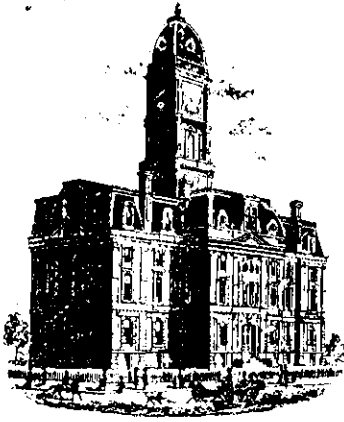
GIS Drain Input Checklist

- Pull Source Documents for Scanning JDH
- Digitize & Attribute Tile Drains N/A
- Digitize & Attribute Storm Drains JDH
- Digitize & Attribute SSD JDH
- Digitize & Attribute Open Ditch N/A
- Stamp Plans JDH
- Sum drain lengths & Validate JDH
- Enter Improvements into Posse JDH
- Enter Drain Age into Posse JDH
- Sum drain length for Watershed in Posse JDH
- Check Database entries for errors JDH

Drain: ASHBURY PARK DRAIN Drain #: 328
 Improvement/Arm: ASHBURY PARK - SECTION 3
 Operator: JDH Date: 5-21-04
 Drain Classification: Urban/Rural Year Installed: 1999

GIS Drain Input Checklist

- Pull Source Documents for Scanning JDH
- Digitize & Attribute Tile Drains N/A
- Digitize & Attribute Storm Drains JDH
- Digitize & Attribute SSD JDH
- Digitize & Attribute Open Ditch N/A
- Stamp Plans JDH
- Sum drain lengths & Validate JDH
- Enter Improvements into Posse JDH
- Enter Drain Age into Posse JDH
- Sum drain length for Watershed in Posse JDH
- Check Database entries for errors JDH



SURVEYOR'S OFFICE

Hamilton County

Kenton C. Ward, Surveyor

Phone (317) 776-8495

Fax (317) 776-9628

Suite 146

One Hamilton County Square

Noblesville, Indiana 46060-2230

To: Hamilton County Drainage Board

August 14, 2000

Re: Ashbury Park Drain, Section 1 and Section 3 Arms

Attached is a petition, non-enforcement requests, plans, calculations, quantity summary and assessment rolls for the Ashbury Park Section 1 and Section 3 Arms, Ashbury Park Drain. I have reviewed the submittals and petition and have found each to be in proper form.

I have made a personal inspection of the land described in the petition. Upon doing so, I believe that the drain is practicable; will improve the public health; benefit a public highway and be of public utility; and that the costs, damages, and expenses of the proposed drain will probably be less than the benefits accruing to the owners of land likely to be benefited. The drain will consist of the following:

<u>Section 1:</u>			<u>Section 3:</u>		
6" SSD	3,322 ft	18" RCP	40 ft	24" RCP	97 ft
12" RCP	226 ft	21" RCP	454 ft		
15" RCP	163 ft	24" RCP	139 ft		

The total length of the drain will be 4,441 feet.

The retention pond (lake) located in Section 3, Common Area C is to be considered part of the regulated drain. The Board will maintain the pond and exercise jurisdiction for ensuring the storage volume for which the lake was designed will be retained. Thereby, allowing no fill or easement encroachments.

The subsurface drains (SSD) to be part of the regulated drain are those located under the curbs and those main lines between lots or in rear yards. Only the main SSD lines which are located within the easement/right of way are to be maintained as regulated drain. Laterals for individual lots will not be considered part of the regulated drain. The portion of the SSD which will be regulated other than those under curbs are as

follows: Rear of Lots 6-9, Rear of Lots 34 and 35, North and East sides of Common Area 3.

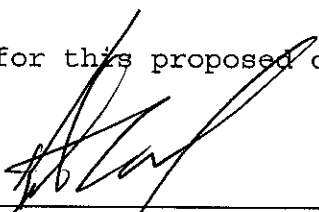
I have reviewed the plans and believe the drain will benefit each lot equally. Therefore, I recommend each lot be assessed equally. I also believe that no damages will result to landowners by the construction of this drain. I recommend a maintenance assessment of \$65.00 per lot, \$10.00 per acre for roadways, \$5.00 per acre for common areas, with a \$65.00 minimum. With this assessment the total annual assessment for this drain/this section will be \$2,642.00.

Parcels assessed for this drain may be assessed for the Collins-Osborn or Williams Creek Drain at sometime in the future. Parcels assessed for this drain will also be assessed for the O. F. Henley Drain.

I believe this proposed drain meets the requirements for Urban Drain Classification as set out in IC 36-9-27-67 to 69. Therefore, this drain shall be designated as an Urban Drain.

I recommend that upon approval of the above proposed drain that the Board also approve the attached non-enforcement request. This request is for the reduction of the regulated drain easement to those widths as shown on the secondary plat for Ashbury Park Section 1 and Ashbury Park Section 3 as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for September 25, 2000.



Kenton C. Ward
Hamilton County Surveyor

KCW/kkw

ATTEST: _____
HAMILTON COUNTY AUDITOR

**SUBDIVISION IMPROVEMENTS
PERFORMANCE BOND**

**FILE
COPY** BOND NO: 885132S

KNOW ALL MEN BY THESE PRESENTS:

THAT we, PITTMAN PARTNERS, INC. as Principal,
and DEVELOPERS SURETY AND INDEMNITY COMPANY, a corporation organized and doing
business and under and by virtue of the laws of the State of Iowa and duly licensed to conduct surety
business in the State of Indiana, as Surety, are held and firmly bound unto

BOARD OF COMMISSIONERS, HAMILTON COUNTY
One Hamilton Square
Noblesville, Indiana 46060

as Obligee, in the sum of Forty Nine Thousand, Four hundred ninety nine Dollars,
(\$49,485.00) for which payment, well and truly to be made, we bind ourselves, our heirs, executors and
successors, jointly and severally firmly by these presents.

THE CONDITION OF THE OBLIGATION IS SUCH THAT:

WHEREAS, the above named Principal, has agreed to construct in Ashbury Park Section #1
Subdivision, City of Carmel, Indiana 46032 the
following improvements: Storm Sewer and Sub Surface drains

NOW, THEREFORE, the condition of this obligation is such, that if the above Principal shall well and
truly perform said agreement or agreements during the original term thereof or of any extension of said
term that may be granted by the Obligee with or without notice to the Surety, this obligation shall be void,
otherwise it shall remain in full force and effect.

IN WITNESS WHEREOF, the seal and signature of said Principal is hereto affixed and the corporate seal
and the name of the said Surety is hereto affixed and attested by its duly authorized Attorney-in-Fact, this
24th Day of September 1999.

**BOARD OF COMMISSIONERS
OF THE COUNTY OF HAMILTON**

DATE _____

Pittman Partners, Inc.
Principal

BY: Steve Pittman
Steve Pittman, President

DEVELOPERS SURETY AND INDEMNITY COMPANY

BY: Howard E. McConnell
Howard E. McConnell Attorney-in-Fact

**POWER OF ATTORNEY OF
DEVELOPERS SURETY AND INDEMNITY COMPANY**
West Bank Plaza Building, 1603 22nd Street, Suite 200
West Des Moines, IA 50266 (515) 267-9070

Nº 009519

- NOTICE: 1. All power and authority herein granted shall in any event terminate on the 31st day of March, 2002.
2. This Power of Attorney is void if altered or if any portion is erased.
3. This Power of Attorney is void unless the seal is readable, the text is in brown ink, the signatures are in blue ink and this notice is in blue ink.
4. This Power of Attorney should not be returned to the Attorney(s)-In-Fact, but should remain a permanent part of the obligee's records.

KNOW ALL MEN BY THESE PRESENTS, that except as expressly limited, **DEVELOPERS SURETY AND INDEMNITY COMPANY**, do each severally, but not jointly, hereby make, constitute and appoint

HOWARD E. McCONNELL

the true and lawful Attorney(s)-In-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations as sureties, bonds, undertakings and contracts of suretyship in an amount not exceeding Ten Million Dollars (\$10,000,000) in any single undertaking; giving and granting unto said Attorney(s)-In-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporations could do, but reserving to each of said corporations full power of substitution and revocation; and all of the acts of said Attorney(s)-In-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolutions adopted by the respective Board of Directors of **DEVELOPERS SURETY AND INDEMNITY COMPANY**, effective as of September 24, 1986:

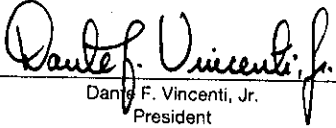
RESOLVED, that the Chairman of the Board, the President and any Vice President of the corporations be, and that each of them hereby is, authorized to execute Powers of Attorney, qualifying the attorney(s) named in the Powers of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of the corporations be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporation when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, **DEVELOPERS SURETY AND INDEMNITY COMPANY** have severally caused these presents to be signed by their respective Presidents and attested by their respective Secretaries this 22nd day of December, 1998.

DEVELOPERS SURETY AND INDEMNITY COMPANY

ATTEST

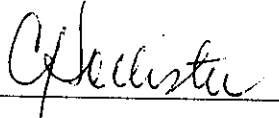
By 
Dante F. Vincenti, Jr.
President

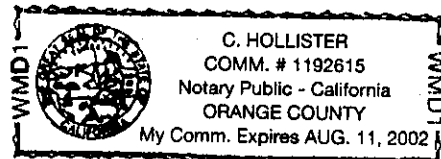
By 
Walter Crowell
Secretary



STATE OF CALIFORNIA)
) SS.
COUNTY OF ORANGE)

On December 22, 1998, before me, C. Hollister, personally appeared Dante F. Vincanti, Jr. and Walter Crowell, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
WITNESS my hand and official seal.

Signature 




CERTIFICATE

The undersigned, as Senior Vice President of **DEVELOPERS SURETY AND INDEMNITY COMPANY**, does hereby certify that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the provisions of the resolutions of the respective Boards of Directors of said corporations set forth in the Power of Attorney, are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, this _____ day of _____.

DEVELOPERS SURETY AND INDEMNITY COMPANY

By 
Lawrence G. Kepiro
Senior Vice President



RIDER



To be attached to and form a part of Sudivision Improvement Performance Bond

Bond No. 8855055S dated the 24th day of September, 1999.

Issued by DEVELOPERS SURETY AND INDEMNITY COMPANY, as Surety, on

Behalf of Pittman Partners, Inc., as Principal and

In favor of Board of Commissioners, Hamilton County, as Obligee

Nothing herein contained shall be held to vary, waive, alter, or extend any of the terms, Conditions, agreements, or warranties of the above mentioned bond, other than stated as below.

It is understood and agreed, effective 9/24/99 that the:

- | | |
|-------------------------------------------------|--------------------------------------------|
| <input type="checkbox"/> EFFECTIVE DATE | <input type="checkbox"/> PRINCIPAL NAME |
| <input type="checkbox"/> EXPIRATION DATE | <input type="checkbox"/> PRINCIPAL ADDRESS |
| <input checked="" type="checkbox"/> BOND AMOUNT | <input type="checkbox"/> OTHER _____ |

for the above captioned bond be changed:

FROM: Forty nine Thousand, Four Hundred ninety nine Dollars

TO: Forty nine Thousand, Four Hundred Eighty five Dollars

Provided, however, that the liability of the company under the attached bond as changed by this order shall not be cumulative.

Signed this 1st day of October, 1999.

DEVELOPERS SURETY AND INDEMNITY COMPANY

BY: Howard E. McConnell
Howard E. McConnell Attorney-in-Fact

POWER OF ATTORNEY OF
DEVELOPERS SURETY AND INDEMNITY COMPANY
West Bank Plaza Building, 1603 22nd Street, Suite 200
West Des Moines, IA 50266 (515) 267-9070

Nº 009536

- NOTICE:
1. All power and authority herein granted shall in any event terminate on the 31st day of March, 2002.
 2. This Power of Attorney is void if altered or if any portion is erased.
 3. This Power of Attorney is void unless the seal is readable, the text is in brown ink, the signatures are in blue ink and this notice is in blue ink.
 4. This Power of Attorney should not be returned to the Attorney(s)-In-Fact, but should remain a permanent part of the obligee's records.

KNOW ALL MEN BY THESE PRESENTS, that except as expressly limited, **DEVELOPERS SURETY AND INDEMNITY COMPANY**, do each severally, but not jointly, hereby make, constitute and appoint

HOWARD E. McCONNELL

the true and lawful Attorney(s)-In-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations as sureties, bonds, undertakings and contracts of suretyship in an amount not exceeding Ten Million Dollars (\$10,000,000) in any single undertaking; giving and granting unto said Attorney(s)-In-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporations could do, but reserving to each of said corporations full power of substitution and revocation; and all of the acts of said Attorney(s)-In-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolutions adopted by the respective Board of Directors of **DEVELOPERS SURETY AND INDEMNITY COMPANY**, effective as of September 24, 1986:

RESOLVED, that the Chairman of the Board, the President and any Vice President of the corporations be, and that each of them hereby is, authorized to execute Powers of Attorney, qualifying the attorney(s) named in the Powers of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of the corporations be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporation when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, **DEVELOPERS SURETY AND INDEMNITY COMPANY** have severally caused these presents to be signed by their respective Presidents and attested by their respective Secretaries this 22nd day of December, 1998.

DEVELOPERS SURETY AND INDEMNITY COMPANY

ATTEST

By *Dante F. Vincenti, Jr.*
Dante F. Vincenti, Jr.
President

By *Walter Crowell*
Walter Crowell
Secretary

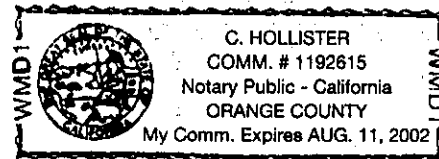


STATE OF CALIFORNIA)
) SS.
COUNTY OF ORANGE)

On December 22, 1998, before me, C. Hollister, personally appeared Dante F. Vincenti, Jr. and Walter Crowell, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature *C. Hollister*



CERTIFICATE

The undersigned, as Senior Vice President of **DEVELOPERS SURETY AND INDEMNITY COMPANY**, does hereby certify that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the provisions of the resolutions of the respective Boards of Directors of said corporations set forth in the Power of Attorney, are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, this _____ day of _____.

DEVELOPERS SURETY AND INDEMNITY COMPANY

By *Lawrence G. Kepiro*
Lawrence G. Kepiro
Senior Vice President



SUBDIVISION IMPROVEMENTS
PERFORMANCE BOND



BOND NO: 885132S

KNOW ALL MEN BY THESE PRESENTS:

THAT we, PITTMAN PARTNERS, INC. as Principal,
and DEVELOPERS SURETY AND INDEMNITY COMPANY, a corporation organized and doing
business and under and by virtue of the laws of the State of Iowa and duly licensed to conduct surety
business in the State of Indiana, as Surety, are held and firmly bound unto

BOARD OF COMMISSIONERS, HAMILTON COUNTY
One Hamilton Square
Noblesville, Indiana 46060

as Obligee, in the sum of Five Thousand, Three Hundred fifty four Dollars,
(\$5,354.00) for which payment, well and truly to be made, we bind ourselves, our heirs, executors and
successors, jointly and severally firmly by these presents.

THE CONDITION OF THE OBLIGATION IS SUCH THAT:

WHEREAS, the above named Principal, has agreed to construct in Ashbury Park Section #1
Subdivision, City of Carmel, Indiana 46032 the
following improvements: Erosion Control

NOW, THEREFORE, the condition of this obligation is such, that if the above Principal shall well and
truly perform said agreement or agreements during the original term thereof or of any extension of said
term that may be granted by the Obligee with or without notice to the Surety, this obligation shall be void,
otherwise it shall remain in full force and effect.

IN WITNESS WHEREOF, the seal and signature of said Principal is hereto affixed and the corporate seal
and the name of the said Surety is hereto affixed and attested by its duly authorized Attorney-in-Fact, this
24th Day of September 1999.

BOARD OF COMMISSIONERS
OF THE COUNTY OF HAMILTON

Pittman Partners, Inc.

Principal

BY: [Signature]
Steve Pittman, President

DEVELOPERS SURETY AND INDEMNITY COMPANY

BY: [Signature]
Howard E. McConnell Attorney-in-Fact

CERTIFICATE OF COMPLETION AND COMPLIANCE

TO: HAMILTON COUNTY SURVEYOR

RE: Ashbury Park Section 1 and Spring Farms Section 3

I hereby certify that:

- 1.) I am a Registered Land Surveyor in the State of Indiana,
- 2.) I am familiar with the plans and specifications for the above referenced subdivision,
- 3.) I have personally observed and supervised the completion of the Drainage Facilities for the above referenced subdivision, and
- 4.) To the best of my knowledge, information and belief, the Drainage Facilities within the subdivision has been installed and completed in conformity with all plans and specifications.

Signature: Bruce Hagen Date: 6/14/00

Type or Printed Name: Bruce Hagen, RLS

Business Address: Paul I. Cripe, Inc.

7172 Graham Road, Indianapolis IN 46250

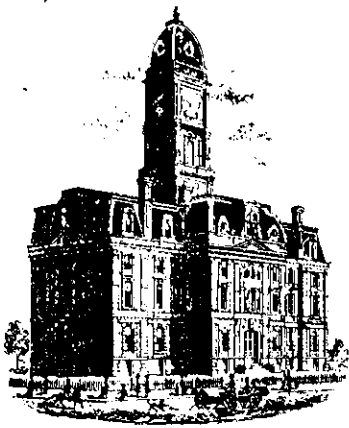
Telephone: 317-842-6777

INDIANA REGISTRATION NUMBER

300005

SEAL





SURVEYOR'S OFFICE

Hamilton County

Kenton C. Ward, Surveyor
 Phone (317) 776-8495
 Fax (317) 776-9628

Suite 188
 One Hamilton County Square
 Noblesville, Indiana 46060-2230

To: Hamilton County Drainage Board

April 29, 2004

Re: Ashbury Park Drain: Ashbury Park Sec. 1 & 3 Arms

Attached are as-builts, certificate of completion & compliance, and other information for Ashbury Park Sec.1 & 3. An inspection of the drainage facilities for this section has been made and the facilities were found to be complete and acceptable.

During construction, changes were made to the drain, which will alter the plans submitted with my report for this drain-dated August 14, 2000. The report was approved by the Board at the hearing held September 25, 2000. (See Drainage Board Minutes Book 5, Pages 459-460) The changes are as follows:

Structure:	T.C.:	I.E.:	Pipe:	Length:	Original Plans:	Difference:
713		867.33				
714	874.4	868.85	24	139		
714	874.4	868.76				
715	880.18	872.18	21	258		
715	880.18	870.68				
716	881.33	895.68	21	196		
716	881.33	873.35				
719	881.41	877.11	15	38		
719	881.41	876.06				
720	882.53	878.33	12	116		
720	882.53	877.53				
721	883.33	878.83	12	110		
718	878.61	875.31				
717	881.44	873.63	15	122	121	1
717	881.44	873.6				
716	881.33	873.4	18	41	40	1
Sec. 3						
712		868				
711		866.5	24" RCP	97		

6" SSD Streets:

Ashbury Dr	845.8
Edison Way	371.2

6" SSD Lots:

lots 6-9	230
CA -"B" & 34-35	270

Total x2: 2434

Total: 500

RCP Pipe Totals:

12	226
15	160
18	41
21	454
24	139
Section 3 - 24	97

Total: 1117

The length of the drain due to the changes described above is now **4,051 feet**.

The non-enforcement was approved by the Board at its meeting on September 25, 2000 and recorded under instrument #200000061199 & #200200066636.

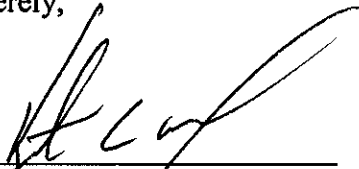
The following sureties were guaranteed by Developers Surety and Indemnity Company and released by the Board on its meeting July 24, 2000.

Bond-LC No: 885132S
Insured For: Storm Sewers, SSD
Amount: \$49,485
Issue Date: September 24, 1999

Bond-LC No: 885132S
Insured For: Erosion Control
Amount: \$5,354
Issue Date: September 24, 1999

I recommend the Board approve the drain's construction as complete and acceptable.

Sincerely,



Kenton C. Ward,
Hamilton County Surveyor

KCW/slm